

LAC  
5/12/2010

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application: Michael A. Tainsky, et al.

Serial No.: 10/004,587

Group Art Unit: 1617

Filed: 12/04/2001

Examiner: CLOW, Lori A.

For: NEOEPITOPE DETECTION OF DISEASE USING  
PROTEIN ARRAYS

Attorney Docket No.: 0788.00063

**PROPOSED EXAMINER'S AMENDMENT**

Dear Dr. Clow:

In response to the Office Action dated March 22, 2010, Part of Paper No./Mail Date 20100317, and further in reference our telephone conversation of April 30, 2010, please consider the following amendment as a potential Examiner's Amendment to put claim 21 into condition for allowance. Essentially, claim 21 has been rewritten in independent form to incorporate the limitations of the base claim 20.

21 (amended) The A method of claim-20 detecting and identifying markers indicative of early stage cancer by:

differentially biopanning sera obtained from a normal individual and patients with cancer against epitope-expressing phage display libraries;

obtaining epitope bearing clones displaying reactivity to antibodies present in sera of patients with early stage cancer but not in sera of normal individuals, including the step of identifying and excluding the sera of normal individuals that react strongly but nonspecifically to epitope bearing clones, wherein further including the step of excluding the sera of normal individuals which react strongly but nonspecifically to epitope bearing clones further includes the step of excluding sera which show a unimodal pattern of dual fluorescence reaction with epitope bearing clones, where a first color indicates reaction with human immunoglobulin and a second color indicates reaction to phage capsid proteins-;

identifying all epitopes that are specific to early stage cancer as markers indicative of early stage cancer; and

including all epitopes identified as markers in a microarray assay designed to detect early stage cancer.

Respectfully submitted,

KOHN & ASSOCIATES, PLLC

/Kenneth I. Kohn/

Kenneth I. Kohn, Reg. No. 30,955  
30500 Northwestern Highway, Suite 410  
Farmington Hills, MI 48334  
(248) 539-5050